

# P.W. (1942) Department.

G.O. No. 402

402

Dated <sup>9</sup> 10th February 1942.

---

## [Despatch Abstract.]

Ports - Mangalore - Reconstruction and re-alignment of north wharf wall, etc. - Postponement of works - Claims of contractor for compensation - Orders.

C.F. 32.

~~Special~~

F  
19 DEC 1941

PORT Department  
From (Name) W. F. Ruffe, Esq.,  
Designation Presidency Port Officer,  
Station Madras.

Received \_\_\_\_\_ Registered \_\_\_\_\_  
To  
The Secretary to Government,  
Public Works Department,  
Madras.

Enclosures:

7

No. 1866 A/41-6 dated 18<sup>th</sup> December 1941.

Sir.

(X) Port of Mangalore - Reconstruction and re-alignment of North wharf wall and reclaiming land for wharves etc - G.O.No.Ms.2971, P.W.D. dated 8-12-1941.

I have the honour to state that, on receipt of the above order, I informed the contractor, Mr. J.H. Tarapore, that the above scheme was not required at present and that the contract therefor would accordingly be closed and the accounts settled. I asked him to let me know definitely what would be the minimum amount he would accept in settlement for labour and establishment charges and also for the materials collected and now at site. In his reply the contractor refers to his previous letter No. G.6031/8 dated 28-8-1941 wherein he has claimed a compensation of Rs. 14,135 and for final settlement asks now for a further payment of Rs. 800/- being charges subsequently incurred by him. The Executive Engineer, Marine Division whom I consulted, reports that the claim made by the contractor may be accepted for Rs. 14,135/- vide his letter No. 1813M dated 17-12-1941. I concur with the Executive Engineer, Marine Division, and request the orders of Government

Government in the matter. The contractor is also agreeable to this final settlement, vide copy of his letter No.G.7041/12 dated 16-12-1941. enclosed. p. 15  
6

2. The materials can be used for repairs to the existing wharf walls and also for any further extension, up to the drain, of the South Reclamation wall. The Port Officer has been asked to state whether this work may be carried out and to obtain the views of the Port Conservancy Board thereon, on receipt of which a further report will be submitted to Government.

I have the honour to be,  
S i r,  
Your most obedient servant,

*W. I. Ruffe*  
18/12  
Presidency Port Officer.  
AK

From Mr. J. H. Tarapore B.E., A.M.I.E., Engineer & Contractor, Madras  
To the Presidency Port Officer, Madras,  
Through the Executive Engineer, Marine Division, Madras,  
No. G. 6031/8 dated 28th August 1941.

Constructing wharf wall at Mangalore

We beg to bring to your notice that the above work has been suspended, and we understand that an altered design is being contemplated.

If this is correct we would like to point out that the conditions of our current agreement cannot hold good for any re-designing or new work which may take place and we would therefore request to know whether the present contract is terminated vide Executive Engineer's letter No. 5707 dated 9th July 1941.

We are ~~xxx~~ prepared to close the contract provided suitable compensation is made for the expenditure etc. incurred amounting to Rs. 14,185-0-0. This is based on the inclusive cost of materials and other charges connected with the work vide enclosures.

If fresh tenders are to be called on the new design we are quite prepared to submit our tender for the work.

We would deem it a great favour if the request contained in this letter is given favourable consideration at an early date to save us from incurring further expenses by way of establishment etc.

Encls. Details:-

|                             |                 |
|-----------------------------|-----------------|
| Cost of Stone & Stone metal | Rs. 7,500/-     |
| Electric Charges            | 150/-           |
| Establishment charges       | 1,620/-         |
| Labour Charges              | 4,915/-         |
|                             | <u>14,185/-</u> |

From the Presidency Port Officer, Madras,  
To Mr. J.H. Tarapore, Engineer & Contractor, 10, Mount Road, Madras,  
No 1866A/41-4 dated 10-12-1941.

Mangalore--wharf wall--construction scheme--your letter  
No.G.6031/8 dated 28-8-41 and para 1 of your letter to  
the Executive Engineer, Marine Division. Madras. No.  
G.6373/10 dated 7-10-1941.

(X) Government have, in their order No.Ms.2971 Public Works Department dated 8-12-1941, accepted the view that the above scheme is not required at present. The contract will accordingly be closed and the accounts settled. In this connection, please let me know definitely what your minimum claim will be for labour and establishment charges and also for the material collected and now at site.

From Mr. J. H. Tarapore B.E., A.M.I.E., Engineer & Contractor, Madras,  
To the Presidency Port Officer, Madras,  
No. G. 6991/12 dated 10th December 1941.

Mangalore - Wharf Wall - Construction.

With reference to your letter No. 1866/A.41-4 of the 10th instant I would refer you to my letter No. G. 6031/8 dated 28-8-41 in which I have given details of my claim amounting to Rs. 14,185/- which I would accept as compensation for the closing of the contract on the above works

I would however like to point out that the actual expenditure is in excess of my claim vide my letter No. G. 6373/10 dated 7-10-1941 to the Executive Engineer, Marine Division and I have subsequently incurred further expenditure amounting to Rs. 800/- being the salary paid to my Engineer for subsequent months since writing to you.

I request that the total amount aggregating to Rs. 14985/- may be kindly paid to me in full settlement for the closing of the contract. ✓

No. 1866A/41-5

Executive Engineer, Marine Division, Madras, for final reply by 14-12-41 as to whether the claim now submitted is reasonable and may be accepted in view of the previous correspondence on the subject and your verbal statement to me that you had seen the vouchers in support of this claim.

W. F. Ruffle,  
11-12-1941.  
Presidency Port Officer.

In reply, please quote  
number, date and  
short title.

DEPARTMENT.



Received.....

Registered.....

From (Name) J.M.Frederick Esq., B.A., B.E., I.S.E.,

(Designation) Executive Engineer, Marine Division,

-Post Box....., (STATION) M a d r a s.

Telegraphic Address.....

To

The Presidency Port Officer,  
M a d r a s.

No. 1813M dated 17 December 1941

Sir,

Ref:- Your R.No.1949-A/41 dated 10-12-41  
and No.1866-A/41-4 dated 10-12-1941.

ENCLOSURES.....

Bottom of p. 7  
ab

With reference to para 2 of orders issued by Govern-

ment in G.O.No.Ms.2971 dated 8-12-1941 I forward herewith a

statement showing the reasonable amount that can be paid to the  
contractor in consequence of postponement of the work.

The amount proposed by me is based on the claims made  
by the contractor which were scrutinised by me in detail by  
obtaining all the vouchers from the contractor. The total  
amount due to the <sup>Contractor</sup> firm as per statement attached works out  
to Rs.14,135/-.

Though no regular methodical accounts have been main-  
tained monthwar as in the case of departmental accounts, from  
the vouchers produced I consider that the contractor should  
have actually incurred this expenditure on account of the  
work, and therefore recommend payment of this amount in full  
final settlement of the contract for this work. I have  
scrutinised their claims only to the end of August 1941.  
The contractor in his letter dated 10-12-1941 now states  
that he has subsequently incurred <sup>further</sup> expenditure amount-  
ing to Rs.800/- being the salary paid to his Engineer for  
subsequent months till the receipt of definite orders of  
Government abandoning the work. Though he was not definit-  
ly informed in writing about the abandonment of the work  
he was made to understand that the work has been postponed

ENCLOSURES.....

1 Statement

only 6.0.

G. L. K. B. C. B. C.

SPARE COPIES

No. 17984

16-12-41

Tractor's reply

in duplicate

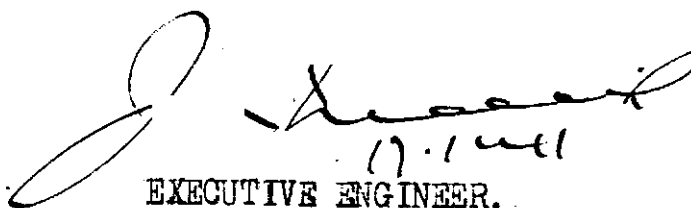
P. 11

Below

postponed and naturally he need not have maintained the full staff

In view of the fact that ~~xxxx~~ he has ~~stx~~ already stated in his letter dated 7-10-1941, ~~that~~ he would finally accept the amount of Rs.14,185/- and for the reasons stated above, I do not recommend payment of this extra amount of Rs.800/- now claimed. The vouchers for this claim has not also been produced by him and checked by me. In reply to my letter No.1798M dated 16-12-1941 (copy enclosed) the contractor has also since agreed to accept the amount recommended by me vide copy of his letter No.G.7041/12 dated 16-12-1941 enclosed.

I request that early orders of Government may please be obtained for closing the account of the contractor finally.

  
17.1.41  
EXECUTIVE ENGINEER.  
6x  
17/1/41

Reasonable amount proposed to be admitted.

| Details of claim.                                                                                                                                                                                                                                                                          | Amount. | Remarks.                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                            | Rs.     |                                                                                                                                                              |
| 1. <u>Cost of stores &amp; stone metal</u>                                                                                                                                                                                                                                                 |         | <u>Materials purchased for construction of wharf wall.</u>                                                                                                   |
| a) 1½" stone metal 13,000 C.ft.<br>= 1274-10-0                                                                                                                                                                                                                                             | 5,754   | Actuals as per purchase vouchers for materials allowed. ✓                                                                                                    |
| b) Random rubble 35.500 C.ft.)                                                                                                                                                                                                                                                             |         | Though no vouchers are produced for jelly for concrete as the materials are actually at site reasonable amount has been allowed viz. Rs.18/-.                |
| c) Bond stones 1325 Nos.)                                                                                                                                                                                                                                                                  |         |                                                                                                                                                              |
| d) Jelly for C.Concrete 1.25 units<br>= 18-0-0 ✓                                                                                                                                                                                                                                           |         |                                                                                                                                                              |
| 2. Electric current consumption charges Rs.147-1-6 or                                                                                                                                                                                                                                      | 147     | Costing energy consumed for pumping water. Actuals as per vouchers allowed.                                                                                  |
| 3. Establishment charges                                                                                                                                                                                                                                                                   | 2,264   | Establishment charges up to end of 8/41 allowed as per vouchers produced.                                                                                    |
| 4. Labour charges                                                                                                                                                                                                                                                                          | 1,991   | As per muster rolls maintained and other vouchers produced.                                                                                                  |
| 5. <u>Railway freight cartage and Conveyance.</u>                                                                                                                                                                                                                                          |         |                                                                                                                                                              |
| One plant and machinery C.I.Sheets<br>Engineers and proprietors T.A.etc.)                                                                                                                                                                                                                  | 738     | Vouchers verified & admitted.                                                                                                                                |
| 6. Palmirah leaves, coir ropes, bamboo matting, bamboos, straw etc. for ring bund work.)                                                                                                                                                                                                   | 1,239   | { Rs.1831-4-3, less credit for old materials realised by firm in auction Rs.592-6-10 = 1238-13-5 or Rs.1239-0-0 ✓                                            |
| 7. <u>Sundry materials.</u><br>Rs.223-14-9 less Rs.100/-credit for office furniture and crow bars<br>mamooties and other materials not yet auctioned.)                                                                                                                                     | 124     | Amount as per vouchers less a reasonable deduction for materials on hand allowed. ✓                                                                          |
| 8. Other sundry purchases mostly tools and plant and G.I.Sheets.)                                                                                                                                                                                                                          | 397     | Claims as per vouchers admitted. Sheets lost in sea & Tools etc., credit for which is included in the amount of Rs 592-6-10 referred to in item (6) above. ✓ |
| 9. <u>Miscellaneous Items.</u>                                                                                                                                                                                                                                                             |         |                                                                                                                                                              |
| a) Rent                                                                                                                                                                                                                                                                                    | 40      | Rent for works office <sup>allowed.</sup> <del>above</del> ✓                                                                                                 |
| b) Stationery                                                                                                                                                                                                                                                                              | 20      | Rs.20/- allowed after giving credit for balance of printed forms etc. on hand. ✓                                                                             |
| c) Postage & Telegrams. 89-15-9 or                                                                                                                                                                                                                                                         | 90      | Amount as per vouchers allowed. ✓                                                                                                                            |
| 10. Loss on purchase and sale of Cement. ✓<br>Purchase amount 150 tons at 5526-9-0<br>Rs.36-4-0 per ton plus Sales tax and cooly as per vouchers.<br>Less sale amount as per account)<br>sales - correspond <del>excess</del><br>verified, - <del>4821</del> 4891-5-0<br>-----<br>635-4-0) | 635     | Purchases vouchers verified. ✓                                                                                                                               |
| 11. To depreciation on pumps & Motors purchased @ 20% on 1742-7-0. ✓                                                                                                                                                                                                                       | 348     | -do-                                                                                                                                                         |
| 12. To depreciation on G.I.Sheets purchased at 20% on 1740-7-0 ✓                                                                                                                                                                                                                           | 348     | -do-                                                                                                                                                         |
| G. Total =                                                                                                                                                                                                                                                                                 | 14,135  | =====                                                                                                                                                        |

In reply, please quote  
number, date and

Received

Registered

From (Name) J.M. Frederick Esq., B.A., B.E., I.S.E.,  
(Designation) Executive Engineer, Marine Dn.,  
Post Box \_\_\_\_\_, (STATION) M a d r a s—  
Telegraphic Address \_\_\_\_\_

To

Mr. J.H. Tarapore,  
The No. 10, Mount Road,  
M a d r a s

No. 1788<sup>th</sup> dated 16 December 1941

Sir,

Mangalore port--reconstruction and re-alignment of north wharf wall and reclaiming land for wharves etc.--final settlement of account--your claims.

ENCLOSURES \_\_\_\_\_

Ref:-G.O. 303/10 dated 7-10-1941.

SPARE COPIES \_\_\_\_\_

After careful consideration and perusal of all your vouchers, I am recommending an amount of Rs.14,135/- in full and final settlement of your contract for the above work subject to the condition that you ~~have~~ hand over all the building materials such as, stone metal, random rubble, bond stones, jelly etc. at site, without any liability to Government. As payment has been allowed in full as per vouchers produced by you for these materials, the entire quantity as specified in the voucher should be handed over to the department without any further liability.

2. As you have already agreed in a way that you will stick up to your original claim of Rs.14,185/- if the same is recommended for payment--vide your letter cited above, I am not allowing the extra amount of Rs.800/- since claimed in your No. G. 6991/12 dated p. 7 above 10-12-1941.

3. Please let me know immediately if you agree to accept this amount of Rs.14,135/- subject to the conditions specified above.

Sd/ J. M. Frederick

Executive Engineer.

From Mr.J.H.Tarapore B.E., A.M.I.E., Engineer & Contractor, Madras,  
~~xx~~To the Executive Engineer, Marine Division, Madras,  
Io.G.7041/12 dated 16th December 1941.

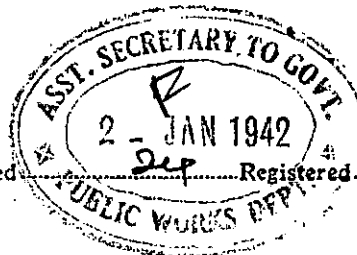
Mangalore Wharf Wall Construction.

~~have~~ We have to acknowledge the receipt of your letter No.1798M  
dated 16-12-1941.

We would however like to point out that our actual expenditure on the contract is in excess of our claim.

Since you are recommending only a sum of Rs.14,135/- in settlement of our claims on account of your closing the contract,

C.F. 32.



Port Department  
From (Name) W.F. Ruffle, Esq.,  
Designation Presidency Port Officer,  
Station Madras.

Received

Registered

To

The Secretary to Government,  
Public Works Department,  
Madras.

Enclosures :

*one on the reverse.*

No. 1866 A/41.7 dated *30<sup>th</sup> December* 1941

Sir,

Port of Mangalore - Reconstruction and re-alignment  
of North wharf wall and reclaiming land for wharves  
etc - This office letter to Government No.1866 A/41-t  
dated 18th December 1941.

*H-1-16 above*

*H-1-2 above*

*P-18 below*

With reference to paragraph 1 of this office letter to  
Government cited above, I have the honour to forward, for the  
information of Government, a copy of resolution No.XI, dated  
23-12-1941 of the Port Conservancy Board, Mangalore, on the  
subject.

I have the honour to be,  
Sir,

Your most obedient servant,

*W. F. Ruffle*  
30/12  
Presidency Port Officer.

AM.

Copy of resolution No.XI of the Port Conservancy  
Board, Mangalore, dated 23-12-41.

----

Read Presidency Port Officer's letter No.1366 V/41-6 dated 18-12-41 to the Secretary to Government Public Works Department, Madras that the contractor for the work of "re-construction and realignment of North wharf wall and reclaiming land for wharves etc at Mangalore" has demanded Rs.14,185/- + Rs.800/- and has finally agreed to accept Rs.14,135/- in settlement of his claim etc.

H-1-16  
above

"The Board requests that the entire correspondence relating to the contract and the present claim may be made available to it, so that it may be in a position to examine the matter fully and offer its opinion on the claim."

| A

T.M. no. 6671 F/61-2 R3.1.42

To

The P.P.

Ports - Mangalore - Reconstruction  
and re-alignment of north  
wharf wall and reclamation  
of wharves - Compensation to  
Contractor - Your letter no.

17-18  
pp. 1-2  
F.

1866 A 141-2, 3, 30-12-41.

Please say whether

you have sent necessary

1 at p. 2 C.F.

papers to the Port Conservancy

Board, Mangalore, so as to

enable it to offer its opinion

P.C. to SO.

1866  
3/1/42

20  
2-1-42

M  
3/1/42

100  
2-1-42

Note. Please see pp. 1-2 C.F.

The P.P.O.'s letter referred to

\* On 27.12.41

at pp. 1-2 C.F. was sent to

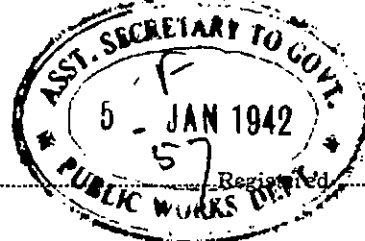
the C.E. (B & R) for advice

on the question of payment of

compensation to the Contractor.

2-1-42 M  
2/1

C.F. 32.



Port Department  
From (Name) W.F. Ruffle, Esq.,  
Designation Presidency Port Officer,  
Station Madras.

Received \_\_\_\_\_  
To \_\_\_\_\_  
The Secretary to Government,  
Public Works Department,  
Madras.

Enclosures:

No. 1949 A/41-4 dated 30 January 1942.

1 copy of resoln. - p. 23 below

1 copy of list of works. Sir,

p. 24 below.

Port of Mangalore - Reconstruction and realignment of North Wharf Wall and reclaiming land for wharves etc. -  
This office letter to Government No. 1866 A/41-6, dated 18-12-1941.

> pp. 1-16 above.

(D) P. 2 above

13-24 below.

With reference to paragraph 2 of the above letter, I have the honour to forward a copy of resolution No. VIII of the Port Conservancy Board, Mangalore on the above subject.

I have the honour to be,  
Sir,  
Your most obedient servant,

*W. F. Ruffle*  
3/1  
Presidency Port Officer.

Inc

Copy of resolution No.VIII of the Port Conservancy Board,  
Mangalore, dated 23rd December 1941.

---

(1) Read letter from the Executive Engineer, Marine Division,  
Madras, No.1717 M, dated 4-12-1941, forwarding inspection report and  
proposing certain improvements.

"The proposals are included in item (3)  
dealt with below."

(X)

(E)

(2) Read G.O.No.Ms.2971 P.W. dated 8-12-1941 accepting the view  
of the Port Conservancy Board that none of the schemes sanctioned  
in G.O.No.2369 P.W. dated 2-10-1939 for reconstruction and re-aligning  
of North Wharf wall and reclaiming land for wharves and improvements  
the Pier "T" at the Port of Mangalore is required and requesting to  
report on which the materials already collected can be used.

"Recorded. The materials will be used  
for the work mentioned in item 3 below."

N.C

(3) Read Presidency Port Officer's No.1949 A/41 dated 15-12-1941  
requesting proposals for extending the South reclamation wall south-  
wards up to the drain.

"The proposal is approved."

(4) Read revised list of works on account of work of realignment  
of North wharf wall being abandoned.

"The revised list of works put up by the Port Officer  
is approved."

Works revised on account  
being abandoned.

of realignment of North wharf wall

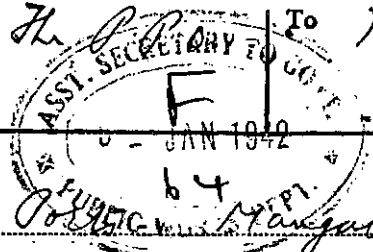
|                                                                                                  | <u>Repairs.</u> | <u>New Works.</u> |
|--------------------------------------------------------------------------------------------------|-----------------|-------------------|
| 1. Repairs to North quay wall                                                                    | Rs. 2000        |                   |
| 2. ,, to South quay wall                                                                         | 400             |                   |
| 3. Extension of the South quay wall and<br>reclaiming area                                       |                 | 20,000/-          |
| 4. Repairs to roads                                                                              | 800             |                   |
| 5. Construction of roads and drain on the<br>South reclamation area                              | 1100            |                   |
| 6. Reconstruction of North wharf wall                                                            | 13000           |                   |
| 7. Repairs to Temporary shed on South<br>quay wall                                               | 300             |                   |
| 8. Ramp for Dry-dock for hauling up pontoons<br>with truck line and wall for stacking<br>of same |                 | 4,000/-           |
| 9. Mud punt to replace old one                                                                   |                 | 3,000/-           |

OFFICE OF THE \_\_\_\_\_

Date May 1942, Hours \_\_\_\_\_ Minutes \_\_\_\_\_

## TELEPHONIC MESSAGE

From The Secretary to the Govt. To The Secy  
P.L.



Public Works Department - Re. Co-  
struction and re-alignment of  
Wharf Wall and  
Redemption of Wharfs -  
Compensation to Contractor -

P.W.D.

P.P.O.'s letter at H<sup>21-24</sup> 3-6 above.

The P.P.O.'s letter of 18-12-61 referred to at p. 3 above, was sent to the C.E. (B + R) for advice on 2-1-62 ~~and has~~ The C.E.'s reply is awaited till 25-1-62. On its receipt, necessary action on the P.P.O.'s letter at H<sup>3-6</sup> above, may be taken.

2. P.P.O.'s T.M. at p. 7 above.

The P.P.O.'s further communication forwarding the P.C.B.'s resolution may be awaited till 25-1-62 or till the C.E.'s reply, referred to in para above, is received.

24  
5-1-62

Mh1

my  
B.T.R

7 JAN 1942

~~SECRET~~

— — —

— — —

— — —

W. F. Kibbler  
671

sidencv Port Officer.

PROCEEDINGS  
MEMORANDUM OF THE Presidency Port Officer, Madras.

29

Post Box No. 13, Telegraphic Address 'Presypo'

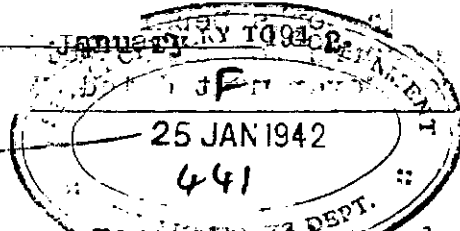
Name W.F. Ruffle, Esq.

NO. 13, dated January 1942

Short title \_\_\_\_\_

READ—the following:—

6.1.42



Mangalore - Reconstruction and re-alignment of North-wharf wall and reclaiming land for wharves etc - Your letter No.2236/41-5 dated 15-1-42

N.C. - Encl. please

See p. 31 below

Please invite the attention of the Port Conservancy Board, Mangalore to its resolution on the above subject No.IX dated 25-7-41 wherein it stated that the whole scheme should be re-investigated with a view to abandonment. After investigation by the Superintending Engineer, Coimbatore Circle and due consideration of the case Government have issued their order No.Ms. 2971, Public Works Department, dated 8-12-41 and requested the Presidency Port Officer, to report definite arrangements for settlement with the contractor. Accordingly there appears ~~nothing~~ nothing further to be considered by the Board in the matter. Any more delay in settlement of this question may result in additional claims from the contractor.

The matter is urgent.

W.F. Ruffle,

Presidency Port Officer.

To

The Port Officer,  
Mangalore.

Copy

no 1949A/41-9.

Copy forwarded to the Secretary to Government  
Public Works Department, Madras, with reference to  
the correspondence ending with telephone message  
from Government dated 23-1-42.

~~24 above  
x under issue in  
C. I. B. In this the P.P.O.  
was asked whether the  
P.C.B. had offered its  
opinion on the claim  
ref. to A as P. 18 above  
and if not, when it might be  
expected~~

*W. I. Ruffe*  
24/1  
Presidency Port Officer.  
AR

P. v

Further communication from  
the P.P.O. may be awaited till

[10] 10.2.42

24 M  
26.1.42 1671

*26/1/42*

Proceedings of a special meeting of the Port Conservancy Board, Mangalore held at the Port Office, Mangalore on Thursday the 15th January 1942 at 9.30 A.M.

*p-18 above.* Read Resolution No.XI of the Port Conservancy Board, Mangalore held on 23-12-41 regarding payment to the Contractor for the work of "reconstruction and realignment of North Wharf wall and reclaiming land for wharves etc." at the port of Mangalore and the correspondence relating to the Contract and the Contractor's claim.

"The Board would like to have information on the following points before it can reach a final decision:- (this information is not available in the records now sent)

Why the contractor could not proceed with the work as per the original estimate; what exactly the reasons were that necessitated the suspension of the work and the preparation of a revised estimate; if the reason was a defective preparation of the original estimate, whether the Government have accepted the position that the original estimate was defective and unworkable; if that was not the reason, how the contractor is entitled to put in any claim at all; whether the work was suspended by the contractor himself or by order of the Executive Engineer; in the latter case, when the order was given and whether it could not have been given earlier."

SPECIAL.

C.F. 32.

Port Department  
From (Name) W.F. Ruffle, Esq.,  
Designation Presidency Port Officer,  
Station Madras.,

Received

To

The Secretary to Government,  
Public Works Department,  
Madras.

Enclosures :

1 copy of  
resolution. Sir.

No. 1866 A/41-9, dated 2nd February 1942

-----  
Mangalore - Reconstruction and re-alignment of North  
Wharf Wall and reclaiming land for wharves etc. -  
This office letter to Government No.1866 A/41-7,  
dated 30-12-1941.

*pp. 17-18 above*

*Overleaf* I have the honour to forward copy of resolution No.5  
dated 30-1-42 of the Port Conservancy Board, Mangalore on the  
subject.

I have the honour to be,  
Sir,  
Your most obedient servant,

*W. F. Ruffle*  
Presidency Port Officer.

*W*

p.t.o.

Copy of resolution No.V of the Port Conservancy Board, Mangalore dated 30th January 1942.

Read Presidency Port Officer's No.1949 A/41-8 dated 24-1-1942 regarding the question of settlement of the claim of the Contractor for the work of "Reconstruction and Re-alignment of North Wharf Wall and reclaiming land for wharves etc. at the port of Mangalore":

27 Jan

"Letter recorded. Payment to the Contractor of a sum of Rs.14,135/- (Rupees Fourteen thousand one hundred and thirtyfive) is approved."

Ports - Mangalore. Reconstruction and re-alignment of north wharf wall - Postponement of work - Payment of Compensation to Contractor.

pp. 1-16 c F. (C. 6471 F/41) From the P.P.O., NO. 1866 A/41-6, B 18.12.41.

(E) In G.O. NO. 2369 P.W., B 2.10.39, an estimate amounting to Rs. 62,050 was sanctioned for reconstruction and re-alignment of the north wharf wall and reclamation of land for wharves at the port

Page 3 of G.O. 355 P.W. 21.2.40 (F) of Mangalore. Tenders were called for and the work of reconstruction and re-alignment of north wharf wall and Mr. T.H. Farepore's tender was accepted in

(F) G.O. 355 P.W., B 21.2.40, 1941.

X at page 51 of (X) 2. The site was handed over to the contractor in December 1940. He collected materials and started ring bunding but, owing to slushy soil, a change of design was considered necessary. In June 1941, the E.E., Marine

A at page 52 of (X) Dr., submitted a revised estimate for Rs. 61200. The E.E. also recommended the closing up of the accounts of the Contractor, paying him for the materials collected and for the ring bund at some proportionate rate, using the materials on the work as redesigned and calling for fresh

tenders. The Port Conservancy Board passed a resolution on 25-7-41 to the effect that as the contractor could not execute the work as per the original estimate, it should be abandoned and that the whole scheme be reinvestigated with a view to abandonment.

3. The S.E., P.W.D., Coimbatore Circle, Page 1 and conclusion had inspected the work. He agreed with the P.P.O. and the Port Conservancy Board that the work should be abandoned. On 4-12-41, the Port Conservancy Board passed again another resolution to the effect that the work was not required for the present. On 8-12-41, the Government accepted this and asked the P.P.O. to report definite arrangements to which the contractor would agree in consequence of postponement of the work and also report the works on which the materials already collected could be used. Bottom r letter at Page 2 of (X)  
Page 45 of (X)  
see A2's minute at pages 55-56 and para 57-58 of the G.O.

4. The contractor first claimed a compensation of Rs. 14,985 but the P.P.O. in consultation with the E.E., Marine Div., fixes it at Rs. 14,135. The contractor has since agreed to the revised figures and the P.P.O. recommends that the claim of Rs. 14,135 made by the contractor may be accepted by the Govt. As regards the use of the materials, the P.P.O. promises to P.7 C.F.  
P.9-10 C.F.  
P.1 C.F.  
P.15 C.F.  
P.1-2 C.F.  
Para. 2, page 2

Para. 2, page 2 send a further report on receipt of a report called in in turn from the Port Officer in consultation with the Port Conservancy Board

5. As the amount claimed by the contractor, viz., Rs. 14,135, is large, the file may be sent U.O. to the C.E. (B. & R.) for advice G.O. 355 P.W., 821-2-40 containing the agreement may also be sent to the C.E. for reference and return.

2nd

C Section.

*Wes*  
*28/12*

*23.12.41* *Wes*

*25.12.41*  
*DDHansen*  
*12*

*11/3/1*

F.W.D.U.O.

NO. 6471 F/41-1

27-12-41

(with G.O. no. 355 P.W., 821-2-40)

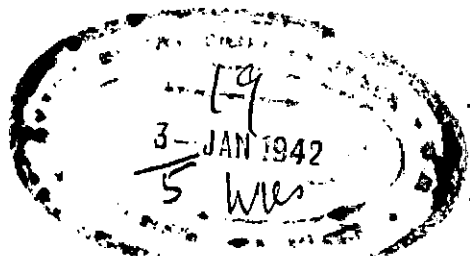
*S. (B & R)*

C E

The claim <sup>is</sup> ~~same~~ reasonable.

(98) A.G.G.  
17-1-42

*11/3/1*



*g (B & R) U.O. No. 46414/41 CR*  
*21-1-42*

The Secretary to Government  
Public Works Dept. 40.

Encl:- Act. Ct. and  
G.O. no. 355 P.W.  
21.2.40

EX-336  
copy of 2 HNF  
1-3 HNF  
14

From the P.P.O., No. 1866 A/41-9, B 2.2.42.

Para 33-34 C.F.

Please see the notes at pages 1-3 above.

The C.E. (B. & R.) says that the amount of Rs. 14,135 claimed by the Contractor is reasonable.

P 3 above.  
P. 15 C.F.

The Port Conservancy Board, Mangalore, has also twice approved the payment of this sum to the contractor. The P.P.O. has already agreed to this.

P. 34 C.F.  
H. 1-2 C.F.

Submitted that Rs. 14,135 may therefore be paid to the contractor, subject to the condition that he hands over all building materials <sup>at site</sup> free of cost.

P. 13 C.F.

2. As regards the materials already collected for the work, the P.P.O. says that they may be used for (i) repairs to existing wharf walls and (ii) any further extension, up to the drain, of the South reclamation wall. The Port Conservancy Board has agreed to the use of the materials on work (ii) alone. Submitted that the Board's view may be accepted; as the P.P.O. has not offered any remarks on its modified recommendation.

Para. 2, page 2  
C.F.

A at p. 23 C.F.

3. A draft order is submitted

P. 21 C.F.

D.M.  
6.2.42  
M  
7.2.42

8362  
S  
PPH. 42  
9 2

Box  
Thro.  
C Section.  
W  
9/11/42  
Box

DRAFT FOR APPROVAL.

P.W.D.

|                                   | Date.  | Initials. | SUBJECT:-                          |
|-----------------------------------|--------|-----------|------------------------------------|
| When received for fair copying -- | 25/4/✓ |           | Ports - Mangalore - Reconstruction |
| When copied --                    |        |           | and re-alignment of north          |
| When examined..                   |        |           | wharf wall, etc. - Postponement of |
| When signed ...                   |        |           | works - Claims of contractor for   |
| When despatched.                  |        |           | compensation - Orders.             |

READ AGAIN G.O. No. 2369 P.W., dated 2.10.1939 (E)  
" " " " 355 P.W., " 21.2.1940 (F)  
" " " " 2971 " " 8.12.1941 (X)

READ ALSO:-

No. 6471E/42 From the P.P.O., No. 1886, dated 2.2.1942. H.35-34  
" " " " " " 1941-9, " " " " 19. C F  
" " " " " " " " " " 19.

Order Ms. No. 402, dated 9 2 1942  
Resolution Ront.

current plan see  
7 P.W., 23.9.41 (S)  
Page 5.7 of (X)

In G.O. No. 2971 P.W., d. 8.12.41, the  
Govt. accepted the view of the Port Conservancy  
Board, Mangalore, that none of the schemes  
(E) sanctioned in G.O. No. 2369 P.W., d. 2.10.39 for  
the reconstruction and realignment of North wharf  
wall and reclaiming land for wharves  
and improvements to the pier 'T' head at the  
port of Mangalore, was required. The  
2, page 56 of (X) P.P.O. was also asked to report definite  
arrangements to which the contractor would  
agree, in consequence of the postponement of  
the works, and also report the works  
on which the materials already collected  
could be used.

H.1-150.F. 2 The P.P.O. has forwarded

with his remarks the contractor's claims + For precedent please  
for the loss sustained by him on account <sup>see G.O. 2317 PW, 523 9-41 (S)</sup>  
of <sup>the</sup> postponement of the works. — The Govt.  
are pleased to accept the recommendations H-11-2 C F  
of the P.P.O. and accordingly sanction the  
payment of a total sum of Rs. 14,135/-  
(Rupees Fourteen thousand one hundred and  
thirty-five only) for the following items  
in respect of which the contractor has  
claimed compensation:—

|                                                                                                | Rs.   |             |
|------------------------------------------------------------------------------------------------|-------|-------------|
| (1) Cost of stones and stone metal.                                                            | 5,754 | P. 11 C. F. |
| (2) Electric current consumption<br>Charges.                                                   | 147   |             |
| (3) Establishment Charges.                                                                     | 2,264 |             |
| (4) Labour charges.                                                                            | 1,991 |             |
| (5) Railway freight cartage<br>and conveyance.                                                 | 738   |             |
| (6) Palmyra leaves, Coir ropes,<br>bamboo matting, bamboos, straw<br>etc, for ring bound work. | 1,239 |             |
| (7) Sundry materials.                                                                          | 124   |             |
| (8) Other sundry purchases, mostly<br>tools and plant and G.I. sheets.                         | 397   |             |
| (9) Miscellaneous items - rent,<br>stationery, postage & telegrams.                            | 150   |             |
| (10) Loss on purchase and sale of<br>cement.                                                   | 635   |             |
| (11) Depreciation on pumps & motors.                                                           | 348   |             |

P. 11 C. F.

(12) Depreciation on - G. I. sheets.

- 78

Total Rs. 14,135

A at page 3 of G.O. 823

P.W., B 29.3.41 (Q).

3. The expenditure should be met from the provision made ~~deducted to the estimate~~ for the works budget estimate of the Mangalore Landing and Shipping Fund for 1941-42.

P. 13 C. F.

4. The building materials at site, collected by the Contractor for the works should be handed over to the Govt. free of cost. They should be used for the further extension of the South reclamation wall up to the drain at the Port of Mangalore.

Para. 2 at page 2 C. F., page 21 C. F. and A at To page 23 C. F.

The P. P. O.

Exr. of L. F. Acks.

Copy to the C. E. (B+R).

Despo  
m 11/2

215  
6.2.42

M  
7.2.42

2  
8.2.42

DDW  
9 2 42

Port Department - Received <sup>1289</sup> Registered

From.(Name) W.F. Ruffle, Esq.,

To

Designation Presidency Port Officer,

The Secretary to Government,  
Public Works (Marine) Department,  
Madras.

Station Madras.

Enclosures:

(2)

No. 1866 A/1-14 dated 5<sup>th</sup> March 1942.

Sir,

Port of Mangalore - Reconstruction and realignment  
of North Wharf wall etc. - postponement of works -  
Claim of contractor for compensation - G.O.No.Ms.  
402, P.W.D. dated 9-2-42.

H-3-4 below. I have the honour to forward a copy of letter dated  
4-3-42 from the Executive Engineer, Marine Division, Madras  
X | and to state for the information of Government that I have  
issued instructions to the Executive Engineer, Marine Division,  
Madras to accept the building materials now reported to be  
available at site in lieu of those that were shown as having  
been paid for by the contractor and included in the claim  
accepted by Government. This results in a gain of Rs.146/-  
to this Department - vide details furnished below:-

Page 40-41

Materials

2 44

2.

Materials

As reported to  
have been paid for.  
Quantity. Cost  
Rs.

As now available  
at site.  
Quantity Cost.  
Rs.

1. Stone metal
2. Randum rubble
3. Bond stones
4. Jelly

13,000 c.ft. 1275  
35,000 c.ft.) 4461  
1,325 Nos. )  
125 c.ft. 18

11,331 c.ft. 1108  
\*40,407 c.ft.) 4792  
367 Nos. )  
Nil

Total Rs. 5754

Rs. 5900

Page 11 and item

1) at page 40 of

F.O. 402 P.W. (G)  
9.2.42

\*After allowing 12% for voids.

I have the honour to be,  
Sir,  
Your most obedient servant,

W. J. Ruffe S/3  
Presidency Port Officer.  
AR

P.W.D.

may be filed with

F.O. 402 P.W., of 9.2.42.

⊙ x at p.1 above.

(G)

6.3.42 7.3.42 7.3.42

From the Executive Engineer, Marine Dn., Madras,  
To the Presidency Port Officer, Madras,  
No.346 M, dated 4-3-42.

Construction of wharf wall at Mangalore - claim for compensation.

*pp. 4-5 below* In forwarding herewith a copy of letter No.G.452/2 dated 24-2-42 with schedule received from Mr. J.H. Tarapore, I have to state that the total quantity of stones and metal shown as having been paid for at site in the vouchers produced was recommended to Government and accepted by them in as follows :

- Page 11 above*  
*item (1) at page*  
*40 of G.O. 402 P.W.*
- (a)  $1\frac{1}{2}$ " stone metal - 13000 cft.
  - (b) Randum rubble (rough stone) - 35500 cft.
  - (c) Bond stones - 1325 Nos.
  - (d) Jelly for concrete - 125 cft.

*9.2.42* *P. 5 below* It is now observed from the statement furnished by the contractor and measurements made by the Assistant Engineer, Marine, Calicut, that the stones and metal at site are as below :

- (1)  $1\frac{1}{2}$ " metal - 11331 cft. against 13000 cft.
- (2) Randum rubble (rough stone) 46179 c.ft. against 35500 cft.
- (3) Bond stones - 367 Nos. against 1325 Nos
- (4) Jelly for concrete - Nil " 125 cft.

The rough stones are said to be loosely packed. Allowing 12% for voids, in excess over voids in ordinary packing, the quantity will be 40,407 cft or 40,000 cft. The contractor's quantity is also on stack measurements the excess is 4900 cft. or 49 units costing Rs.441/- As the contractors hand over this to us, it is a ~~sin~~ gain

But the stone metal is 1669 cft. less and at the rates found in his voucher, the total cost works out to Rs.167/- . Similarly bond stones are 958 Nos. short and at Rs.11-8-0. per 100 Nos. as per voucher, the total cost works out to Rs.110/-.

As regards broken jelly, there is nothing at site and its cost as recommended to Government is Rs.18/-.

The total cost of materials found short in all, than that recommended to Government will be Rs.295/- against the excess of Rs.441/- for the stone. As Government have passed payment of the said sum of Rs.14,135/- based on the quantity of building materials collected and kept at site, the contractor has to hand over these materials as noted in para 1 above. (G)  
G.O. 402  
P.W.  
9.2.42

Considering that there is no loss by accepting the actual quantity of building materials now lying at site, though this is not according to the quantities shown in the vouchers, I request if the compensation as passed by Government can be paid in full.

As the account for the work has to be closed early, I request the favour of your ~~near~~ early orders.

Copy of letter No.G.452/2 dated 24-2-42 from Mr. J.H. Tarapore, contractor, Mount Road, Madras, to the Executive Engineer, Marine Division, Madras.

Mangalore Port - reconstruction of the north wharf wall.

----

In accordance to your letter No.256 M, dated 12-2-42, I give below the No-claim statement

In view of the full and final settlement of my claim in connection with the contract for the work of "reconstructing and realigning north wharf wall, Mangalore" by the payment of Rs.14,135/- as sanctioned in G.O.No.Ms.402 P.W.D. dated. 9-2-42 and mentioned in the schedule attached,

I hand over the materials collected for the above work and included in my claim, free from all claims and liabilities on them from any source whatsoever, and these shall become the absolute property of the Government.

Schedule.

| S.No. | Description of materials | Stack Measurement | Locality.                      |
|-------|--------------------------|-------------------|--------------------------------|
| 1.    | Rough stone              | 46,179 c.ft.      | Mangalore<br>Port<br>Premises. |
| 2.    | stone metal              | 11,331 cft.       |                                |
| 3.    | ond stones               | 367 Nos.          |                                |